

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

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BRIAN C. MARRQUIS,
Plaintiff,

v.

C.A. NO.: 04-30059-MAP

BERKSHIRE COMMUNITY COLLEGE, et al,
Defendants

PLAINTIFF'S MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT

NOW comes BRIAN C. MARQUIS, Plaintiff pro se, in the above-entitled cause and moves this Honorable Court, pursuant to Rule 15(a) of the F.R.Civ.P, for leave, again, to amend his original complaint in order to assert an additional claim against Defendants Dr. Bryan Blanchard, all nine sitting board of trustees members, in their individual and official capacities, and BCC.

No party will suffer any prejudice if an additional asserted claim against the Defendants at this time. They will have ample opportunity well in advance of trial to conduct discovery and prepare their defenses. Moreover, the issues of law and fact which underline Plaintiff's additional claim against Defendants are virtually the same as those which underline the claims against all Defendant parties.

The joinder of claims at bar will avoid duplicate litigation and will be conducive to judicial economy.

The grounds for this motion are in further support of the foregoing. Plaintiff refers this Honorable Court to the proposed amended 2nd complaint, a copy of which is attached hereto.

WHEREFORE, Plaintiff moves that relief be granted as requested herein.

Dated: 11 August 2004

By: 

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Plaintiff in propria persona
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CERTIFICATION

I, BRIAN C. MARQUIS, do hereby certify that I have this dated served a true and accurate copy of the above-described document, postage prepaid, by first class mail, upon Defendants counsel of record: (Mass.) Assistant Attorney General Timothy Jones, Western Massachusetts Office of the Attorney General, 1350 Main Street, Springfield, MA 01103.



BRIAN C. MARQUIS